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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,677	02/19/2004	Yen-Fu Chen	AUS920031073US1	5241
45371	7590	05/02/2008	EXAMINER	
IBM CORPORATION (RUS)			MEHMOOD, JENNIFER	
c/o Rudolf O Siegesmund Gordon & Rees, LLP			ART UNIT	PAPER NUMBER
2100 Ross Avenue			2612	
Suite 2800				
DALLAS, TX 75201				
MAIL DATE		DELIVERY MODE		
05/02/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/782,677	CHEN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	JENNIFER MEHMOOD	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on April 10, 2008 (preliminary amendment).
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 53 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 19 February 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/19/2004</u> .   | 6) <input type="checkbox"/> Other: _____ .                        |

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claim 53 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 53 recites the limitation "the card user" in lines 7 and 8. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
5. Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tompkins (US 5,432,495) and further in view of Ayed (US 6,405,125).

For claim 1, Tompkins discloses a system for parking a vehicle comprising: a card (Figs. 1 and 2, item 16; col 2, Ins 19-21); a base coupled to a vehicle (Figs. 1 and 2, items 18, 24, 26; col 2, Ins 22-24), wherein the base is associated with the card (col 2, Ins 24-26); a motion sensor located in the base to notify a security patrol of a disturbance of the vehicle (Figs. 1 and 2, item 24; col 1, Ins 40-50), wherein the card is

used to activate the motion sensor (col 2, lns 20-30 and 46-53). While the card disclosed by Tomkins is not a card used in the tradition sense (flat, stiff and information bearing record), the card is a functional equivalent to that of the card of the present invention since the Applicant defines the card, in the specification on page 6, as being: "the term "card" shall mean a device, associated with a specific base, used to locate a vehicle. The card is used in conjunction with a locator panel to locate a specific base, and thus a specific vehicle." Tompkins, however, does not disclose a locator panel and locators to triangulate the position of a vehicle combined with a parking facility. Ayed, however, discloses a system for a parking facility including a locator panel in communication with a plurality of locators (col 4, lns 12-20) to triangulate the position of a base (located on a vehicle), wherein the locator panel displays the triangulated position to the user's display (Figs. 1 and 2, item 12; col 3, lns 41-63). It would have been obvious to one of ordinary skill in the art, at the time the invention was made to include a locator system for displaying the position of a vehicle, as disclosed by Ayed, with the parking system disclosed by Tompkins so that a user finds their parked vehicle in a timely manner.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Dudaney (US 6,360,169) discloses a system for tracking changes in location using triangulation.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer A Mehmood whose telephone number is (571) 272.2976. The examiner can normally be reached on M-F from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. George Bugg, can be reached at (571) 272.2998. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jennifer A. Mehmood/  
Primary Examiner  
April 29, 2008